

United States District Court

DISTRICT OF Massachusetts

UNITED STATES OF AMERICA

v.

1. NUEREL CARR,
a/k/a FREDERICK D. BROWN,
a/k/a "COX"

2. MICHAEL MCDONALD

(Name and Address of Defendant)

CRIMINAL COMPLAINT

CASE NUMBER: *MJ04-M-282 JLA*

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 23, 2004 in Norfolk county, in the District of Massachusetts defendant(s) did, (Track Statutory Language of Offense) knowingly and intentionally possess cocaine, a Schedule II controlled substance, with intent to distribute,

in violation of Title 21 United States Code, Section(s) 841(a)(1) and 18 U.S.C. Sec. 2

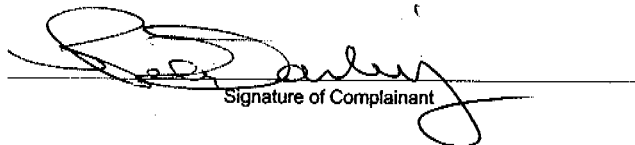
I further state that I am a(n) Special Agent with ICE and that this complaint is based on the following facts:
Official Title

See Affidavit of Special Agent Peter Darling attached hereto and incorporated by reference herein.

Continued on the attached sheet and made a part hereof:

☒ Yes

☐ No


Signature of Complainant

Sworn to before me and subscribed in my presence,

11-24-2004

Date

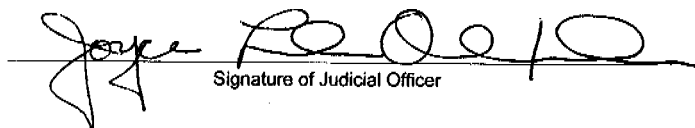
at

Boston, Massachusetts

City and State

Joyce London Alexander
Magistrate Judge

Name & Title of Judicial Officer


Signature of Judicial Officer

Affidavit of Peter Darling

I, Peter Darling, on oath depose and state that:

1. I am a Special Agent with the Department of Homeland Security, Customs and Immigration Enforcement ("ICE"), formerly known as the United States Customs Service, and I have been so employed for approximately six years. Since November 2003, I have been assigned to ICE's field office in Boston. Prior to that, I was assigned to ICE's field office in Chicago, Illinois for approximately five years. I have received specialized training from ICE in the importation, transportation, and distribution of controlled substances. During the course of my career, I have been involved in numerous narcotics investigations and cases involving a number of investigative techniques, including the debriefing and use of confidential informants, controlled purchases of drugs, electronic surveillance, and physical surveillance.

2. I am submitting this affidavit in support of a criminal complaint against **DONOVAN SORRELL ("SORRELL")** for possession of cocaine, a Schedule II controlled substance, with the intent to distribute, in violation of 21 U.S.C. § 841(a)(1). This affidavit also is submitted in support of a criminal complaint against **NUEREL CARR ("CARR") A.K.A. FREDERICK D. BROWN and A.K.A. "COX",** and **MICHAEL MCDONALD ("MCDONALD")** for possession of cocaine, a Schedule II controlled substance, with intent to distribute, in violation of 21 U.S.C. § 841(a)(1). As set forth more fully

below, the quantity of cocaine involved in these offenses is over five hundred grams. Accordingly, the five-year minimum mandatory provision contained in 21 U.S.C. § 841(b)(1)(B) is applicable. Since I am submitting this affidavit for the limited purpose of establishing probable cause, I have not set forth each and every fact known to me concerning this investigation.

Origin of the Investigation

3. On November 23, 2004, **SORRELL**, a Jamaican national, entered the United States on Jamaican Airlines flight 49 which originated in Jamaica. Flight 49 arrived at Boston's Logan International Airport at approximately 10:30 p.m. Customs and Border Protection agents conducted intensive inspections and directed approximately 90% of the passengers from Jamaican Airlines flight 49 to the agricultural inspection area to have their luggage x-rayed. An x-ray of Sorrell's luggage revealed three bottles, two of which appeared to contain solid objects. Sorrell was brought to a table where he identified the luggage as his property. The two bottles which appeared to contain solid objects were removed from the bag. One was a rum bottle, the other was a "Nonnie Juice" bottle. The two bottles were x-rayed again. The solid objects inside each bottle were visible in the x-ray.

4. The two bottles containing what appeared to be solid objects were taken to another area where a probe was

inserted into each bottle. The probe revealed that there was a solid object inside each bottle. A sample of the contents of each solid object was extracted and field tested for the presence of narcotics. The field tests on the contents of the solid objects in each bottle revealed the presence of cocaine.

5. Sorrell was advised of his Miranda warnings and agreed to cooperate with law enforcement. He stated that on two occasions in September and October 2004 he brought cocaine from Jamaica to Boston through Logan International Airport. On both earlier trips the cocaine was concealed inside bottles of rum. Sorrell stated that he transported the cocaine for "Winston" LNU. Sorrell knows Winston through a man he knows in Jamaica as "Bones." Sorrell was paid \$4,000 in U.S. currency for the first delivery and \$5,000 in U.S. currency for the second delivery. He was to be paid \$5,000 for this delivery. He stated that on the two previous trips he had been instructed that after arriving in Boston to rent a room at the Best Western Hotel in Quincy, Massachusetts and to then call "Bones" in Jamaica to inform him that he arrived and to provide his hotel room number. Sorrell had been informed that an individual name "Cox" would pick up the cocaine at the Best Western. On both prior trips, a tall black male, with a facial scar, came to his hotel room to pick up the bottles containing the cocaine. "Cox" paid Sorrell for transporting the cocaine. On one occasion Sorrell was paid at the

time the cocaine was picked up, on the other occasion he was paid by "Cox" three days later. Sorrell stayed in Boston for about five days before returning to Jamaica on both previous occasions.

6. On November 24, 2004, a controlled delivery of the cocaine recovered from Sorrell's luggage was conducted at the Best Western Hotel in Quincy. Sorrell agreed to go with federal agents to the Best Western Hotel in Quincy and contact "Bones." With federal agents present, Sorrell called "Bones" in Jamaica and told him that everything was OK, that he had been delayed getting into his room because his flight was late, and that he was in room 109. A short time later Sorrell received a call on his hotel room phone from Winston, who asked Sorrell why there was a delay getting into the room. Sorrell told Winston that the flight had been delayed and he could not get into his room, but that everything was OK.

7. At approximately 9:30 a.m., a male matching Cox's description and another male arrived at the Best Western Hotel in a 2000 Nissan Pathfinder registered to Michael **McDonald** of 62 Constitution Road, Mattapan, Massachusetts. The driver was later identified as McDonald. COX was later identified as **Carr**. McDonald parked the vehicle and Carr exited and walked to room 109. Federal agents were posted outside the hotel and in the room next door to room 109. Carr entered the room, spoke with Sorrell, and left with the two bottles containing the cocaine.

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II Investigating Agency ICECity Quincy

Related Case Information:

County Norfolk

Superseding Ind./ Inf. _____

Case No. _____

Same Defendant _____

New Defendant _____

Magistrate Judge Case Number _____

04-MJ-00282-SLA

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:

Defendant Name Neurel Carr

Juvenile

☐ Yes☒ NoAlias Name "Frederick D. Brown" "Cox"Address 41 Waverly Street, Roxbury, MA 02118Birth date (Year only): 1946 SSN (last 4 #): _____ Sex M Race: Black Nationality: JamaicanDefense Counsel if known: Edward L. Hayden, III, Esq.Address: 7 Franklin StreetLynn, MA 01902

Bar Number: _____

U.S. Attorney Information:

AUSA David G. Tobin

Bar Number if applicable _____

Interpreter: ☐ Yes ☒ No

List language and/or dialect: _____

Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested☐ Regular Process☒ In Custody

Location Status:

Arrest Date: November 24, 2004☒ Already in Federal Custody as of November 24, 2004 in Boston, MA☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 11/30/04Signature of AUSA: David G. Tobin

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Neurel Carr

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 841(a)(1)</u>	<u>Poss. Cocaine w/ Intent to Distribute</u>	<u>1</u>
Set 2	<u>18 U.S.C. § 2</u>	<u>Aiding and Abetting</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II Investigating Agency ICECity Quincy Related Case Information: _____County Norfolk Superseding Ind./ Inf. _____ Case No. _____

Same Defendant _____ New Defendant _____

Magistrate Judge Case Number 04-MJ-00282-JLA

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:

Defendant Name Michael McDonald Juvenile ☐ Yes ☒ No

Alias Name _____

Address 16 Constitution Road, Mattapan, MA 02136Birth date (Year only): 1963 SSN (last 4 #): _____ Sex M Race: Black Nationality: JamaicanDefense Counsel if known: Page Kelley, Esq. Address: 408 Atlantic Avenue, 3rd FloorBoston, MA 02110

Bar Number: _____

U.S. Attorney Information:

AUSA David G. Tobin Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

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Name of Defendant Michael McDonald

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Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: